

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF:

Inventor : Mitchell R. Swartz

Serial no.

PAPER:

Group Art Unit:

Examiner:

Filed:

For: **METHOD AND APPARATUS**

TO MONITOR LOADING USING VIBRATION

previously "Systems To Monitor And Accelerate
Electrochemically Induced Fusion Reactions"

This is a continuation of Serial no. 07/ 371,937

Filed: 06/27/89

December 28, 2000

**DECLARATION, POWER OF ATTORNEY,
AND PETITION**

I, Mitchell R. Swartz, declare that I am a citizen of the United States residing in Weston, Massachusetts; that I have read the foregoing specification and claims and I verily believe that I am the original, first and sole inventor of the invention;

**METHOD AND APPARATUS
TO MONITOR LOADING USING VIBRATION**
previously "Systems To Monitor And Accelerate
Electrochemically Induced Fusion Reactions"

THIS IS A CONTINUATION OF:

SERIAL NO. 07/ 371,937 [FILED: 06/27/89]

09/568,728 1.23.00

described and claimed therein; that I do not know and do not believe that this invention was ever known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to the date of this application; or in public use or on sale in the United States more than one year prior to the date of this application;

that this invention has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States on any application filed by me or my legal representative or assign more than twelve months prior to the date of this application; and that no application for patent or inventor's certificate on this invention has been filed by me or my legal representatives or assigns in any country foreign to the United States, except as follows: NONE.

I request to submit this Continuation of the above application, and to transact all business to the Patent Office connected therewith, *pro se*.

The title has been revised to more accurately reflect these particular claims, after removal of the Divisional Application [Serial no. 09/568,728, Filed: 05/11/2000] There has been no new matter added.

The original specification has been retyped to include Greek symbols which were not available to Applicant in 1989. Deleted in this duplicate copy of the original specification are those sections associated with, and covered by, the Divisional Application [Serial no. 09/568,728, Filed: 05/11/2000]. No new matter has been added.

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Wherefore I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the foregoing specification and claims, and I hereby subscribe my name to the foregoing specification and claims, declaration, power of attorney, and this petition, The undersigned petitioner declares further that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon,

Date: December 28, 2000

Inventor


MITCHELL R. SWARTZ, M.D.

Mitchell R. Swartz, ScD, EE, MD

Post Office Address:

16 Pembroke Road

Weston, MA 02493

This form may be executed only when attached to a complete application as the last page thereof.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE THE APPLICATION OF:

Inventor : Mitchell R. Swartz
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PAPER: 1
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**VERIFIED STATEMENT (DECLARATION)
CLAIMING SMALL ENTITY STATUS
[37 CFR 1.9(f) AND 1.27(b)] - INDEPENDENT INVENTOR**

As a below named, inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled:


**METHOD AND APPARATUS
TO MONITOR LOADING USING VIBRATION**
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This Is A Continuation Of: Serial No: 07/ 371,937 Filed: 06/27/1989

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be

classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a non profit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

 no such person, concern, or organization.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to any paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Signature of Inventor:



Name Of Inventor:

Mitchell R. Swartz, ScD, MD

Post Office Address:

16 Pembroke Road

Date: December 28, 2000

Weston, MA 02493